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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,160	03/20/2007	Danny A. Grant	IMMR-0152A (034701-510)	3287
60140 7590 10/20/2008 IMMERSSION -THELEN LLP P.O. BOX 640640 SAN JOSE, CA 95164-0640			EXAMINER LEIBY, CHRISTOPHER E	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 10/20/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/538,160	<b>Applicant(s)</b> GRANT ET AL.	
	<b>Examiner</b> CHRISTOPHER E. LEIBY	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Detailed Action***

1. **Claims 1-30** are pending.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-30** are rejected under 35 U.S.C. 102(e) as being anticipated by **Rosenberg et al.** (US Patent 7,148,875), herein after referred to as Rosenberg.

Regarding independent **claim 1**, Rosenberg discloses a method, comprising: receiving an input signal associated with a reminder event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and outputting a control signal to an actuator (*figure 8a reference 86*), the control signal configured to cause the actuator to output a haptic effect associated with the reminder event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **claim 2**, Rosenberg discloses a method wherein the reminder event includes one of an appointment, a meeting, and a pre-scheduled activity (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*).

Regarding **claim 3**, Rosenberg discloses a method further comprising determining a source of the reminder event and selecting the control signal based at least in part on the determination (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type*).

Regarding **claim 4**, Rosenberg discloses a method wherein the haptic effect is output to a handheld communication device (*figure 8 reference pda*).

Regarding **independent claim 5**, Rosenberg discloses a method, comprising: receiving an input signal associated with a status event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and outputting a control signal to an actuator at a prescribed time after receiving the input signal (*figure 8a reference 86*), the control signal configured to cause the actuator to output a haptic effect associated with the status event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **claim 6**, Rosenberg discloses a method wherein the status event includes one of an advertisement event, a business-transaction event, a one-to-one marketing event, a stock-trading event, a weather-forecast event, an entertainment event (*column 13 lines 30-48 reference explosion in a game wherein games are normally entertainment events*), a sports event, and an emergency event.

Regarding **claim 7**, Rosenberg discloses a method further comprising determining a source of the status event and selecting the control signal based at least in part on the determination (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type*).

Regarding **claim 8**, Rosenberg discloses a method further comprising extracting a haptic code from the input signal, the control signal being based at least in part on the haptic code (*figure 8 reference 86 and column 16 lines 46-55 and column 13 lines 30-48 wherein the actuator provides the vibration based on events wherein code is used to signify an event and output the vibration*).

Regarding **claim 9**, Rosenberg discloses a method wherein the haptic effect is output to a handheld communication device (*figure 8 reference pda*).

Regarding **independent claim 10**, Rosenberg discloses a computer-readable medium on which is encoded program code (*column 6 lines 14-62 which describes circuitry that enables the touch pad to operate correctly which is inherent to have program code to operate the circuitry*), comprising: program code for receiving an input signal associated with a reminder event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and program code for outputting a control signal to an actuator (*figure 8a reference 86*), the control signal configured to cause the actuator to output a haptic effect associated with the reminder event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **claim 11**, Rosenberg discloses a computer-readable medium wherein the reminder event includes one of an appointment (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*), a meeting, and a pre-scheduled activity.

Regarding **claim 12**, Rosenberg discloses a computer-readable medium further comprising program code for determining a source of the reminder event and selecting the control signal based at least in part on the determination (*column*

*13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type).*

Regarding **claim 13**, Rosenberg discloses a computer-readable medium further comprising program code to generate a plurality of control signals, each control signal being associated with a haptic effect (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type, including different frequencies or pulses*).

Regarding **independent claim 14**, Rosenberg discloses a computer-readable medium on which is encoded program code (*column 6 lines 14-62 which describes circuitry that enables the touch pad to operate correctly which is inherent to have program code to operate the circuitry*), comprising: program code for receiving an input signal associated with a status event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and program code for outputting a control signal to an actuator at a prescribed time after receiving the input signal (*figure 8a reference 86*), the control signal configured to cause the actuator to output a haptic effect associated with the status event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **claim 15**, Rosenberg discloses a computer-readable medium wherein the status event includes one of an advertisement event, a business-transaction event, a one-to-one marketing event, a stock-trading event, a weather-forecast event, an entertainment event (*column 13 lines 30-48 reference explosion in a game wherein games are normally entertainment events*), a sports event, and an emergency event.

Regarding **claim 16**, Rosenberg discloses a computer-readable medium further comprising program code for determining a source of the status event and selecting the control signal based at least in part on the determination (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type*).

Regarding **claim 17**, Rosenberg discloses a computer-readable medium further comprising program code for extracting a haptic code from the input signal, the control signal being based at least in part on the haptic code (*figure 8 reference 86 and column 16 lines 46-55 and column 13 lines 30-48 wherein the actuator provides the vibration based on events wherein code is used to signify an event and output the vibration*).

Regarding **independent claim 18**, Rosenberg discloses a data stream embodied in a carrier signal (*column 6 lines 14-62 which describes circuitry that enables the touch pad to operate correctly which is inherent to have program code/data stream to operate the circuitry*), carrying instructions to receive an input signal associated with a reminder event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and output a control signal to an actuator (*figure 8a reference 86*), the control signal configured to cause the actuator to output a haptic effect associated with the reminder event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **independent claim 19**, Rosenberg discloses a data stream embodied in a carrier signal (*column 6 lines 14-62 which describes circuitry that enables the touch pad to operate correctly which is inherent to have program code/data stream to operate the circuitry*), carrying instructions to receive an input signal associated with a

status event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and output a control signal to an actuator at a prescribed time after receiving the input signal (*figure 8a reference 86*), the control signal configured to cause the actuator to output a haptic effect associated with the status event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **independent claim 20**, Rosenberg discloses an apparatus, comprising: a body; a processor; an actuator coupled to the body and in communication with the processor (*figure 8a reference actuator 86 within the body and column 6 lines 14-62 which discloses a microprocessor*); and a memory in communication with the processor, the memory storing program code executable by the processor (*column 6 lines 14-62 which describes circuitry that enables the touch pad to operate correctly which is inherent to have program code to operate the circuitry*), including: program code for receiving an input signal associated with a reminder event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and program code for outputting a control signal to an actuator, the control signal configured to cause the actuator to output a haptic effect associated with the reminder event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **claim 21**, Rosenberg discloses an apparatus wherein the body is included in a handheld communication device (*figure 8 reference pda*).

Regarding **claim 22**, Rosenberg discloses an apparatus wherein the handheld communication device includes one of a cellular phone, a satellite phone, a cordless phone, a personal digital assistant (*figure 8 reference pda*), a



pager, a two-way radio, a portable computer, a game console controller, a personal gaming device, and an MP3 player.

Regarding **claim 23**, Rosenberg discloses an apparatus wherein the reminder event includes one of an appointment (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*), a meeting, and a pre-scheduled activity.

Regarding **claim 24**, Rosenberg discloses an apparatus wherein the memory further stores program code for determining a source of the reminder event and selecting the control signal based at least in part on the determination (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type*).

Regarding **claim 25**, Rosenberg discloses an apparatus wherein the memory further stores a haptic lookup table, the selection being based on the haptic lookup table (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type*).

Such organizations of data do not emphasize any significance as what would be the benefit from applying such organization. Therefor, the examiner asserts that such values are based on the design of device and provide no specific improvements.

Regarding **independent claim 26**, Rosenberg discloses an apparatus, comprising: a body; a processor; an actuator coupled to the body and in communication with the processor (*figure 8a reference actuator 86 within the body and*

*column 6 lines 14-62 which discloses a microprocessor*); and a memory in communication with the processor, the memory storing program code executable by the processor (*column 6 lines 14-62 which describes circuitry that enables the touch pad to operate correctly which is inherent to have program code to operate the circuitry*), including: program code for receiving an input signal associated with a status event (*column 13 lines 30-48 reference event occurring within the environment such as an appointment reminder*); and program code for output a control signal to an actuator at a prescribed time after receiving the input signal, the control signal configured to cause the actuator to output a haptic effect associated with the status event (*column 13 lines 30-48 reference signified using a vibration*).

Regarding **claim 27**, Rosenberg discloses an apparatus wherein the body is included in a handheld communication device (*figure 8 reference pda*).

Regarding **claim 28**, Rosenberg discloses an apparatus wherein the handheld communication device includes one of a cellular phone, a satellite phone, a cordless phone, a personal digital assistant (*figure 8 reference pda*), a pager, a two-way radio, a portable computer, a game console controller, a personal gaming device, and an MP3 player.

Regarding **claim 29**, Rosenberg discloses an apparatus wherein the status event includes one of an advertisement event, a business-transaction event, a one-to-one marketing event, a stock-trading event, a weather-forecast event, an entertainment event (*column 13 lines 30-48 reference explosion in a game*

*wherein games are normally entertainment events*), a sports event, and an emergency event.

Regarding **claim 30**, Rosenberg discloses an apparatus wherein the memory further stores program code for determining a source of the status event and selecting the control signal based at least in part on the determination (*column 13 lines 30-48 reference wherein the force sensation/control signal can vary to signify different events of the same type*).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER E. LEIBY whose telephone number is (571)270-3142. The examiner can normally be reached on 9 - 5 Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CL

October 10<sup>th</sup>, 2008

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629